

AMENDMENTS TO THE DRAWINGS

Applicant has attached two replacement drawing sheets in addition to the substitute specification and respectfully requests that attached figures 1 and 2 replace the drawings currently shown as figures 1 and 2. Apparently, drawing figures 1 and 2 of the application were replaced with other, irrelevant drawings during the electronic application process. The attached replacement drawings are the appropriate and intended drawings and have not been marked up because they are entirely different from the drawings currently shown as figures 1 and 2. As described in the specification, the replacement sheet for figure 1 is “a first alternative embodiment for an advertising display of the present invention.” The drawing currently shown as figure 1 appears to be some kind of electric circuit. The replacement sheet for figure 2 is a “front view of a second side of the first alternative embodiment for an advertising display of the present invention.” The drawing currently shown at figure 2 appears to be some kind of line graph.

The replacement drawings do not contain new matter. The contents of the drawings were fully disclosed in the specification in the descriptions of the drawings section as well as paragraphs 45 and 50 (of the substitute specification). Also, the replacement drawings are identical to the drawings originally submitted by Applicant. But for the technical problem with the Patent Office’s electronic filing software (as noted above), these figures would already be a part of the specification.

REMARKS

In the Office Action of December 14, 2005, the Examiner objected to the specification, the drawings and Claims 20 and 25. The Examiner rejected Claims 11-12 and 20 under 35 U.S.C. § 112, and Claims 1-26 were all rejected under 35 U.S.C. § 103(a). More specifically, Claims 1, 3, 6, 13, 15 and 16 were rejected under 103(a) as being unpatentable over U.S. Patent No. D380,011 to Pettus (hereinafter "Pettus") in view of U.S. Patent No. 4,303,946 to Berry (hereinafter "Berry"); Claim 2 was rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. Patent No. 5,663,746 to Pellenberg et al. (hereinafter "Pellenberg"); Claims 4, 5 and 10 were rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. App. No. 2004/0046704 to Kim (hereinafter "Kim"); Claim 7 was rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. Patent No. 3,727,000 to Lollos et al. (hereinafter "Lollos"); Claims 8 and 9 were rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. Patent No. 4,608,773 to White (hereinafter "White"); Claims 11 and 12 were rejected under 103(a) as being unpatentable over U.S. App. No. 2003/0235320 to Hirshhorn (hereinafter "Hirshhorn") in view of Pettus; Claim 14 was rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. Patent No. 5,485,197 to Hoarty (hereinafter "Hoarty"); Claims 17-19 were rejected under 103(a) as being unpatentable over Pettus in view of Berry and further in view of U.S. App. No. 2002/0108279 to Hubbard II (hereinafter "Hubbard II"); Claim 20 was rejected under 103(a) as being unpatentable over Pettus in view of Berry in view of Hubbard II and further in view of U.S. Patent No. 2,636,702 to Brody (hereinafter "Brody"); Claims 21-22 were rejected under 103(a) as being unpatentable

over Pettus in view of Pellenberg and Claim 23 is rejected under 103(a) as being unpatentable over Pettus in view of Pellenberg and further in view of Kim.

Applicant has herein canceled apparatus Claim 6 and amended Claims 1, 3-4, 7-8, 10-11, 17, 20-23, and 25. In view of the following comments, Applicant requests that the rejections of Claims 1-5 and 7-26 be reconsidered and withdrawn.

Claims 20 and 25 are objected to because of informalities. These Claims have been amended in accordance with the Examiner's suggestions and it is respectfully believed that these objections are overcome.

Claims 11-12 and 20 are Not Indefinite

Applicant has amended Claim 11 to eliminate "support frame," and added "mount," wherein the arms connect the display panel and the mount as shown by figures 8-11. Although Applicant does not believe the prior language was indefinite, the amendment is consistent with the amendment made to Claim 1 and is more readily shown by figures 8-11. Claim 20 was amended to show dependence on Claim 17, rather than Claim 7. As shown in the attached replacement specification, Applicant intended Claim 20 to depend from Claim 17 and drafted the claim thusly. **The electronic filing system apparently caused this error, just as it caused other errors specified above.**

In view of the foregoing, Applicant respectfully requests that the rejection of Claims 11-12 and 20 under 35 U.S.C. Section 112, second paragraph, as indefinite be reconsidered and withdrawn.

Claims 1, 3, 6, 13, 15, and 16 are Not Obvious in View of the Prior Art

Claim 1 requires, among other things, an advertising display with a plurality of display panels, at least one of the display panels being capable of showing electronic advertising information and connected to a source of electronic advertising information. Claim 1 further requires that the plurality of display panels be connected to a support frame, which is connected to a mount for connecting the advertising display to a support mechanism such as a pole. The purpose of this configuration is to permit the display to be fixed to a variety of supports, such as the top of a wall, a protrusion from a wall, a pole, or hanging from a cable, depending on the specifications of the environment. The support frame is distinct from an exterior shell or housing, as Claim 17 uses both terms non-synonymously.

Pettus and Berry relate to video display stands. Both Pettus and Berry disclose a housing enclosing the video display monitors and speakers. The stands disclosed in the prior art do not make obvious the mount and support mechanism of the present invention. In both Pettus and Berry, the stand is part of the housing. Both references fail to disclose a “mount” distinct from a “support mechanism,” and both references teach the engagement of a support member with the exterior housing of the display rather than a support frame. Pettus does not disclose a mount or a support frame. In Pettus, the video display includes an exterior shell, sitting on a stand. It appears from the disclosure that the exterior shell is in direct contact with the stand, leaving no room for a mount. Furthermore, Pettus teaches away from including a mount between the stand and the display because it shows a stand that appears to be specifically designed to engage with the outer shell of the display. Hence, a person of ordinary skill in the art could not learn the use of an adaptive mount used in an advertising display by reviewing Pettus. Similarly, Berry

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discloses a video display apparatus having an exterior “housing” on a “stand.” Berry, Column 1, Lines 60-61. There is no disclosure or suggestion of utilizing a mount there-between.

Furthermore, neither Pettus nor Berry disclose a support frame connected to a mount. Pettus fails to disclose a support frame. Berry discloses a support frame (Column 3, Lines 5-7), but connects the stand to the housing, not the support frame (Berry, Column 2, Lines 55-59). As such, it teaches away from the present invention, which requires that the support mechanism connect to the support frame, not the exterior shell.

Berry and Pettus fail to disclose a mount and fail to disclose a support frame connected to a mount. Therefore, the cited prior art fails to disclose all of the invention’s limitations and fails to make the invention obvious. Because Claim 1 is not obvious in view of the prior art, it follows then that Claims 2-5, 7-10, and 13-20, being dependent upon Claim 1, are also not obvious in view of the prior art. For all of the above-mentioned reasons, Applicant requests that the obviousness rejection of Claims 1-5, 7-10, and 13-20 under 35 U.S.C. Section 103(a) over Pettus in view of Berry be reconsidered and withdrawn.

Claim 2 is Not Obvious in View of the Prior Art

Claim 2 requires that at least one of the visual displays include a print advertisement and that the plurality of displays face different directions. Applicant notes that the alternating panels of Pettus do not appear to have printed advertisements. Instead, Pettus appears to have openings for speakers, like in Berry, or possibly ventilation to allow heat to escape. Pellenberg discloses a circular advertising kiosk with a single video display facing in one direction and a printed display around the circumference of the kiosk. In Pellenberg, the printed advertisement faces the

same direction as the video display. Hence, Pellenberg fails to suggest a display having electronic elements and printed elements facing in generally different directions. Furthermore, the displays of Berry and Pettus teach away from printed displays, or a combination of electronic and print displays. The word "video" is in the title of each, indicating a teaching away from printed panels. Berry further discloses video signals that are "identical" (Berry, Columns 1-2, Lines 67-2). If some panels had electronic content, while others had print content, they could not be "identical." As such, Berry teaches away from a plurality of display panels wherein at least one has a print advertisement and at least one has an electronic advertisement. As such, Pellenberg is not properly combinable with Pettus and Berry, so Claim 2 is not obvious in view of the prior art. For these reasons, reconsideration and withdrawal of the rejection of Claim 2 under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of Pellenberg are earnestly solicited.

Claims 4, 5, and 10 are Not Obvious in View of the Prior Art

Claims 4 and 5 are directed to an advertising display comprising at least one moveable display panel. None of Pettus, Berry, or Kim disclose the mount and support frame of Claim 1 from which Claims 4 and 5 depend. Additionally, Kim is not properly combinable with Pettus and Berry because Kim is not analogous art. Pettus and Berry relate to video display stands wherein the displays have distinct orientations and are intended for display of information to the public or groups. Kim, however, deals with multiple displays having similar orientations and are intended to be viewable by a single user.

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Claim 10 requires, among other things, an attachment mechanism connected to the at least one electronic display and the support frame. None of Pettus, Berry, or Kim disclose the mount and support frame required by Claim 1 from which Claim 10 depends. Additionally, Kim is not properly combinable with Pettus and Berry as argued above. Further, Claim 10 does not require any movement of the electronic display panel, which was given as the motivation to combine Kim with Pettus and Berry.

Because the prior art fails to teach or suggest each and every claim limitation of Claims 4, 5, and 10, these claims are not obvious in view of the prior art. For these reasons, reconsideration and withdrawal of the rejections of Claims 4, 5, and 10 under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of Kim are earnestly solicited.

Claim 7 is Not Obvious in View of the Prior Art

Claim 7 requires, among other things, angle brackets that engage and support the visual displays. None of Pettus, Berry, or Lollos disclose the mount and support frame required by Claim 1 from which Claim 7 depends. Lollos discloses a tower wherein the angle brackets support a shelf member, which supports the televisions. Hence, Lollos fails to disclose angle brackets that engage the visual displays. As such, the combination of Pettus, Berry, and Lollos fails to teach or suggest each and every element of Claim 7 of the present invention. As such, Claim 7 is not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of Lollos and reconsideration and withdrawal of the rejection of Claim 7 are earnestly solicited.

Claims 8 and 9 are Not Obvious in View of the Prior Art

Claims 8 and 9 require, among other things, a support frame with wall members. None of Pettus, Berry, or White disclose the mount and support frame required by Claim 1 from which Claim 8 depends. White teaches a display stand having a plurality of sides consisting of sheets of metal with flanges at the top and bottom. White is not properly combinable with Pettus or Berry because Pettus and Berry disclose video display stands exclusive of non-video displays and White deals solely with display of flat, sheet metal panels, not video displays. Furthermore, the disclosure of White is incompatible with either of Berry or Pettus because White teaches engaging the panels using hooks and requires twisting the panels. If one twisted an electronic display panel, the panel would be damaged.

For these reasons, White is not properly combinable with Pettus and Berry, so Claims 8 and 9 are not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of White. For these reasons, reconsideration and withdrawal of the rejections of Claims 8 and 9 are earnestly solicited.

Claims 11 and 12 are Not Obvious in View of the Prior Art

As amended, Claims 11 and 12 require, among other things, a single mount attached to all of the arms and attached to a support mechanism. As argued above, Pettus does not and cannot teach or suggest a mount. Hirshhorn fails to teach a mount or a support mechanism. Therefore, neither reference teaches or suggests the use of a mount in combination with the other elements of the invention.

PATENT

As such, the combination of Pettus and Hirshhorn fails to teach or suggest each and every element of Claims 11 and 12 of the present invention. As such, Claims 11 and 12 are not obvious in view of the prior art and reconsideration and withdrawal of the rejection of Claims 11 and 12 under 35 U.S.C. Section 103(a) over Hirshhorn in view of Pettus are earnestly solicited.

Claim 14 is Not Obvious in View of the Prior Art

Claim 14 requires, among other things, connecting the electronic display unit or units of the advertising display to a global computer network. The Pettus, Berry and Hoarty references are not properly combinable and therefore do not make Claim 14 obvious. Pettus and Berry each deal with a multitude of video displays in a single location showing identical images on all displays. *See* Berry, Columns 1-2, Lines 65-2. Hoarty, however, discloses a complex cable television delivery system wherein each set top unit is independent from other set top units, and independently controlled by the user. *See* Hoarty, Column 5, Lines 48-53. In fact, figure 1 of Hoarty fails to disclose *any* video display. *See* Hoarty, Fig. 1 and Column 5, Lines 45-62. Further, Hoarty is concerned only with home use, not public display. *Id.* (referring to the set top units as “home interface controllers”). For these reasons, Hoarty is not concerned with the same field of endeavor as Pettus and Berry and is not properly combinable therewith.

Because neither Pettus nor Berry disclose the global computer network limitation of Claim 14 and Hoarty is not properly combinable with Pettus and Berry, these references fail to teach or suggest each and every element of Claim 14 of the present invention. As such, Claim 14 is not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of Hoarty and reconsideration and withdrawal of the rejection of Claim 14 is earnestly solicited.

Claims 17-19 are Not Obvious in View of the Prior Art

Claims 17-19 require, among other things, an exterior shell having an opening and a backing member adjacent to the support frame. None of Pettus, Berry or Hubbard II disclose the mount and support frame as claimed in amended Claim 1. Also, none of Pettus, Berry or Hubbard II disclose a support frame adjacent to an exterior shell. Hubbard II fails to disclose any support frame. Pettus and Berry fail to disclose any exterior shell.

Hence, the combination of Pettus, Berry and Hubbard II fail to teach or suggest each and every limitation of Claim 17 of the present invention. Because Claim 17 is not obvious in view of the prior art, it follows then that Claims 18-19, being dependent upon Claim 17, are also not obvious in view of the prior art. As such, Claims 17-19 are not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Berry and further in view of Hubbard II and reconsideration and withdrawal of the rejection of claims 17-19 are earnestly solicited.

Claim 20 is Not Obvious in View of the Prior Art

Claim 20 requires, among other things, a u-shaped frame attached to the backing member of the exterior shell of an advertising display. None of Pettus, Berry, Hubbard II, or Brody disclose the limitations of Claim 1 and therefore do not teach or suggest the limitations of Claim 20, which depends from Claim 1. In addition, Brody is not analogous art and is therefore not properly combinable with Pettus, Berry, or Hubbard II. Pettus, Berry and Hubbard II relate to advertising displays. Brody specifically relates to a picture frame, not advertising displays. For these reasons, Brody is not concerned with the same field of endeavor as Pettus, Berry, and Hubbard II and is not properly combinable therewith.

PATENT

Because neither Pettus, Berry, nor Hubbard II disclose the u-shaped frame limitation of Claim 20 and Brody is not properly combinable with Pettus, Berry, or Hubbard II, these references fail to teach or suggest each and every element of Claim 20 of the present invention. As such, Claim 20 is not obvious under 35 U.S.C. Section 103(a) as being unpatentable over Pettus in view of Berry and Hubbard II, and further in view of Brody and reconsideration and withdrawal of the rejection of Claim 20 are earnestly solicited.

Claims 21-22 are Not Obvious in View of the Prior Art

Claim 21, as amended, discloses, among other things, a method for displaying visual advertising information on an advertising display, wherein the advertising display includes a plurality of display panels operatively connected to a mount via a support frame. Pettus and Pellenberg fail to disclose each and every element of Claim 21 of the present invention. As particularly pointed out in response to the Examiner's rejection of Claim 1, Pettus fails to disclose incorporation of a mount attached to a support frame attached to the visual display panels. Pellenberg also fails to teach or suggest the use of a mount and support frame. Also, Pellenberg fails to disclose printed advertisements facing a different direction from electronic advertisements. The printed advertisement of Pellenberg encircles an outer circumference of the advertising kiosk, part of which faces the same orientation as the electronic display. Such an orientation does not teach or suggest the limitation of Claim 21 requiring the electronic display to face a direction different from the printed display.

Hence, the combination of Pettus and Pellenberg fails to teach or suggest each and every limitation of Claim 21 of the present invention. Because Claim 21 is not obvious in view of the

prior art, it follows then that Claim 22, being dependent upon Claim 21, are also not obvious in view of the prior art. As such, Claims 21-22 are not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Pellenberg and reconsideration and withdrawal of the rejection of Claims 21-26 are earnestly solicited.

Claim 23 is Not Obvious in View of the Prior Art

Claim 23, as amended, requires, among other things, the display panels to be movable relative to each other and to the support mechanism. The combination of Pettus, Pellenberg and Kim fails to disclose each and every element of Claim 21 from which Claim 23 depends. Claim 23 is not obvious for that reason. Additionally, Claim 23 is not obvious for the reasons set forth above in response to the rejections of Claims 4, 5, and 10. As such, Claim 23 is not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Pellenberg and further in view of Kim and withdrawal of the rejection of Claim 23 are earnestly solicited.

Claims 24-25 are Not Obvious in View of the Prior Art

Claim 24 requires, among other things, that the advertising display include a support frame and a mount and that a plurality of the advertising displays should be placed in a spaced apart relationship. The combination of Pettus, Pellenberg and Berry fails to disclose each and every element of Claim 21 from which Claim 24 depends. As such, Claim 24 is not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Pellenberg et al. and further in view of Berry and reconsideration and withdrawal of the rejection of Claim 24 is earnestly solicited.

Claim 25 requires, among other things, digitally stored advertising information and a processor that utilizes the digitally stored advertising information. None of Pettus, Pellenberg or Berry disclose any digital storage devices or processors working in conjunction therewith. The video cassette player disclosed in Berry does not inherently include digital storage devices and processors therefore. Video cassettes utilize magnetic tape to store data, not a digital medium. As such, Berry fails to teach or suggest each and every limitation of Claim 25. As such, Claim 25 is not obvious in view of the prior art and reconsideration and withdrawal of the rejection of Claim 25 is earnestly solicited.

Therefore, it is respectfully believed that both Claims 24 and 25 overcome the rejection under 35 U.S.C. Section 103(a) over Pettus in view of Pellenberg and further in view of Berry.

Claim 26 is Not Obvious in View of the Prior Art

Claim 26 requires, among other things, an exterior shell having a backing member positioned adjacent to the support frame wherein the backing member and exterior shell form a pocket for holding printed advertisements. Pettus, Pellenberg and Hubbard II fail to teach or suggest all of the limitations of Claim 26 for the same reasons that Pettus, Berry and Hubbard II fail to teach or suggest all of the limitations of Claim 17. As such, Claim 26 is not obvious under 35 U.S.C. Section 103(a) over Pettus in view of Pellenberg and further in view of Hubbard II and withdrawal of the rejection of Claim 26 are earnestly solicited.

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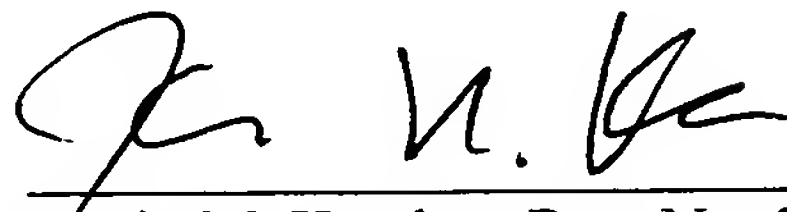
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CONCLUSION

In view of the above, Applicant submits that this application is now in condition for allowance and notification of such is respectfully requested.

Respectfully submitted,

By:



Kevin M. Kercher, Reg. No. 33,408

Thompson Coburn LLP

One US Bank Plaza

St. Louis, MO 63101-1693

(314) 552-6345

(314) 552-7345 (fax)

Attorney for Applicant

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